

Judge Pechman

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in The U.S.
DISTRICT COURT at Seattle, Washington.

February 15 20 07
BRUCE, RIFKIN, Clerk
By H. Grant Zachary Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIRZA M. AKRAM,

Defendant.

No. CR04-0399P

FIFTH SUPERSEDING
INDICTMENT



04-CR-00399-INDI

THE GRAND JURY CHARGES THAT:

COUNT 1
(Conspiracy to Commit Arson)

Beginning in or about June 2004 and continuing until on or about July 9, 2004,
at Everett, within the Western District of Washington, and elsewhere, MIRZA M.
AKRAM and Naveed M. Khan, did knowingly and willfully combine, conspire and
agree to commit an offense against the United States, to wit: the arson of Continental
Spices convenience store, located at 315 East Casino Road, Everett, Washington, a
building used in or affecting interstate commerce, in violation of Title 18, United States
Code, Section 844(i).

Manner and Means of the Conspiracy

Beginning in 2002, AKRAM operated Continental Spices convenience store. In
2002 and 2003, Continental Spice's revenues from the sale of food declined
drastically. As a result of Continental Spice's declining sales, AKRAM began to

1 commit food-stamp fraud in an effort to bolster Continental Spice's finances and to
2 maintain the store's solvency.

3 Thus, beginning in late 2002, AKRAM committed two types of fraud. First,
4 AKRAM allowed customers to redeem food stamps for items other than food.
5 AKRAM typically charged customers approximately twenty percent of the value of
6 food stamps redeemed. Second, AKRAM charged customers' food-stamp cards
7 multiple times for a single transaction, without revealing that fact to the customers.
8 AKRAM thereby stole the value of the customers' food-stamp benefits.

9 During 2003 and 2004, AKRAM steadily increased the amount of food-stamp
10 fraud that he committed. When even this food-stamp fraud proved insufficient to
11 maintain Continental Spices' solvency, AKRAM conspired with Khan to burn down
12 Continental Spices. AKRAM did so, in part, to end his reliance upon food-stamp
13 fraud. By ending the fraud, AKRAM also hoped to conceal the fraud from being
14 discovered. Finally, AKRAM hoped to receive insurance proceeds from the insurance
15 policy covering Continental Spices.

16 *Overt Acts*

17 In furtherance of the conspiracy, and to accomplish the object of the conspiracy,
18 AKRAM and his coconspirators committed the following acts:

19 1. On or about July 8, 2004, Khan rented a Ford Focus at Enterprise Rental
20 Company in Bremerton, Washington.

21 2. On or about July 8, 2004, AKRAM poured gasoline throughout
22 Continental Spices convenience store.

23 3. On or about July 9, 2004, Khan lit the gasoline and set a fire inside the
24 Continental Spices convenience store.

25 All in violation of Title 18, United States Code, Section 371.
26
27
28

COUNT 2
(Conspiracy to Commit Arson)

Beginning in or about June 2004 and continuing until on or about July 9, 2004, at Everett, within the Western District of Washington, and elsewhere, MIRZA M. AKRAM and Naveed M. Khan, did knowingly and willfully combine, conspire and agree to commit an offense against the United States, to wit: the arson of Continental Spices convenience store, located at 315 East Casino Road, Everett, Washington, a building used in or affecting interstate commerce, in violation of Title 18, United States Code, Section 844(i).

Manner and Means of the Conspiracy

Beginning in 2002, AKRAM operated Continental Spices convenience store. In 2002 and 2003, Continental Spice's revenues from the sale of food declined drastically. As a result of Continental Spice's declining sales, AKRAM began to commit food-stamp fraud in an effort to bolster Continental Spice's finances and to maintain the store's solvency.

Thus, beginning in late 2002, AKRAM committed two types of fraud. First, AKRAM allowed customers to redeem food stamps for items other than food. AKRAM typically charged customers approximately twenty percent of the value of food stamps redeemed. Second, AKRAM charged customers' food-stamp cards multiple times for a single transaction, without revealing that fact to the customers. AKRAM thereby stole the value of the customers' food-stamp benefits.

During 2003 and 2004, AKRAM steadily increased the amount of food-stamp fraud that he committed. When even this food-stamp fraud proved insufficient to maintain Continental Spices' solvency, AKRAM conspired with Khan to burn down Continental Spices. AKRAM did so, in part, to end his reliance upon food-stamp fraud. By ending the fraud, AKRAM also hoped to conceal the fraud from being discovered. Finally, AKRAM hoped to receive insurance proceeds from the insurance policy covering Continental Spices.

Overt Acts

In furtherance of the conspiracy, and to accomplish the object of the conspiracy, AKRAM and his coconspirators committed the following acts:

1. On or about July 8, 2004, Khan rented a Ford Focus at Enterprise Rental Company in Bremerton, Washington.

2. On or about July 8, 2004, AKRAM poured gasoline throughout Continental Spices convenience store.

3. On or about July 9, 2004, Khan lit the gasoline and set a fire inside the Continental Spices convenience store.

All in violation of Title 18, United States Code, Section 844(n).

//

//

//

//

//

//

//

//

//

//

//

//

//

//

//

//

//

//

COUNT 3
(Arson)

On or about July 9, 2004, at Everett, within the Western District of Washington, MIRZA M. AKRAM, maliciously damaged and attempted to damage and destroy, and aided and abetted in damaging and attempting to damage and destroy, by means of fire, a building, Continental Spices convenience store, located at 315 East Casino Road, Everett, Washington, used in interstate and foreign commerce and in activity affecting interstate and foreign commerce.


All in violation of Title 18, United States Code, Sections 2 and 844(i).

A TRUE BILL:

DATED: *February 15, 2007*

Signature of Foreperson redacted
pursuant to the policy of the
Judicial Conference of the United States.

FOREPERSON


JEFFREY C. SULLIVAN
United States Attorney


MIKE LANG
Assistant United States Attorney


ANDREW C. FRIEDMAN
Assistant United States Attorney


JILL OTAKE
Assistant United States Attorney